

**OFFICIAL**

#10

4-15-04

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

USA Continuation Patent Application of:  
Keiji Hanawa  
Serial No: 10/028,882  
Filed: December 20, 2001  
TC/A.U. 2625  
Examiner: Barry Choobin  
VEHICLE SURROUNDINGS  
MONITORING APPARATUS

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE  
PATENTING REJECTION OVER A PRIOR PATENT

Mailstop Non-fee Amendment  
Hon. Commissioner of Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

PETITIONER, FUJI JUKOGYO KABUSHIKI KAISHA, is believed to be the owner of 100% interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior patent no. 6,370,261. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantees, its successors or assigns.


In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer,

in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney empowered to act on behalf of the petitioner by a Power of Attorney filed in the instant application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,  
Keiji Hanaya

by:  s/s  
Martin A. Farber  
Attorney for Applicant  
Registered Representative  
Registration No. 22,345

Martin A. Farber  
866 United Nations Plaza  
New York, NY 10017  
(212) 758-2878